

From a proposal in 2003 to the JCOTS Advisory Committee on Consumer Protection. Section 17.1-227 was updated in 2004 to place the burden of removing the social security number on the preparer or filer (“However, the attorney or party who prepares or submits the instrument has responsibility for ensuring that the social security number is removed from the instrument prior to the instrument being submitted for recordation.”).

§ 17.1-227. Documents to be recorded in deed books; social security numbers.

A. All deeds, deeds of trust, deeds of release, certificates of satisfaction or certificates of partial satisfaction, quitclaim deeds, homestead deeds, grants, transfers and mortgages of real estate, releases of such mortgages, powers of attorney to convey real estate, leases of real estate, notices of lis pendens and all contracts in reference to real estate, which have been acknowledged as required by law, and certified copies of final judgments or decrees of partition affecting the title or possession of real estate, any part of which is situated in the county or city in which it is sought to be recorded, and all other writings relating to or affecting real estate which are authorized to be recorded, shall, unless otherwise provided, be recorded in a book to be known as the deed book. All deeds, deeds of trust, deeds of release, quitclaim deeds, grants, transfers, and mortgages of real estate or any addendum or memorandum relating to any of these instruments submitted for recordation in the deed books of the appropriate office of the clerk of court shall be prepared according to the requirements for deeds as set forth in §§ 55-48 and 55-58 and shall include the names of all grantors and grantees in the first clause of each such instrument. ~~The clerk may refuse to accept any instrument submitted for recordation that includes a grantor's, grantee's or trustee's social security number. However, the attorney or party who prepares or submits the instrument has responsibility for ensuring that the social security number is removed from the instrument prior to the instrument being submitted for recordation.~~ Each instrument shall be indexed under all such names in accordance with the provisions of § 17.1-249.

B. Documents to be recorded pursuant to this section shall not contain a social security number or derivative thereof. No such document shall be accepted for filing unless the person who drafted the document or presented the document for filing certifies at the beginning or end of the document to be recorded that such document complies with this section.